

RECEIVED
JAN 11 2024
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

JUSTIN McPHAIL, Petitioner,

v.

GRENADA COUNTY SHERIFF, Respondent.

No. _____.

December __, 2023.

United States District Court, N.D. Mississippi, Greenville

URGENT AND NECESSITOUS MOTION

Comes now, Justin McPhail, Movant herein and seeks immediate injunctive relief releasing him from unlawful imprisonment under Local Rule 7. (b)(8):

Urgent or Necessitous Matters. When the motion relates to an urgent or necessitous matter, counsel for the movant must contact the courtroom deputy, or other staff member designated by the judge, and arrange a definite time and place for the motion to be heard. In such cases, counsel for movant must file a written notice to all other parties of the time and place fixed by the court for the hearing and must serve all documents upon other parties. A motion filed under this rule must be styled as an "URGENT AND NECESSITOUS MOTION." Upon receipt of the motion, the court in its discretion may direct counsel to submit memorandum briefs for the court's consideration.

Movant is unrepresented by counsel, lacks access to a law library, lacks access to basic legal information necessary to fully comply with this rule and requests that this Court either appoint proper counsel or issue an immediate injunction ordering the facility in which Movant is being imprisoned to provide constitutionally mandated legal resources or immediately release Movant.

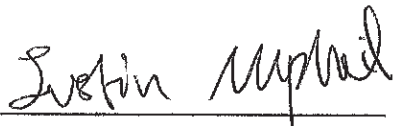
Movant is reliant upon third parties who are NOT licensed attorneys to aid him as best they can, but Movant is being unconstitutionally deprived of his ability to defend himself and the fact that an unlicensed person may help Movant file certain limited and inadequate pleadings before the Court does NOT and can NOT meet constitutional minimum standards that this Court has sworn to uphold.

Movant seeks an URGENT AND NECESSITOUS temporary and permanent injunction against Movant's continuing unlawful incarceration as being unconstitutional and serving NO legitimate governmental purpose. Movant has met the *Winter* requirements, see Winter v. Natural Resources Defense Council, Inc, 555 U.S. 7 (2008).

PRAYER

JUSTIN MCPHAIL PRAYS that this motion in all things be granted in an URGENT AND NECESSITOUS manner.

JUSTIN MCPHAIL PRAYS for any other such further relief as the court deems just and proper.¹



¹ NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC. v. City of New York, _____, (2020), (And while the amended complaint does not expressly seek damages, it is enough that it requests "any other such further relief as the court deems just and proper." ... a party should experience little difficulty in securing a remedy other than that demanded in the pleadings as long as the party shows a right to it...)

